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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SELINA KEENE, MELODY FOUNTILA, MARK) Case No.: 4:22-cv-01587-JSW
MCCLURE,)

Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO;
LONDON BREED, Mayor of San Francisco in her
official capacity; CAROL ISEN Human Resources
Director, City and County of San Francisco, in her
official capacity; DOES 1-100,

Defendants.

) **DECLARATION OF RUSSELL DAVIS**
) **IN OPPOSITION TO MOTION TO**
) **DISMISS**

)
)
) Date: July 8, 2022
) Time: 9:00 AM
) Courtroom: 5

) Date Action Filed: March 14, 2022
) Trial Date: None set
)
)

DECLARATION OF RUSSELL DAVIS

Russell Davis declares:

1. I am the attorney of record in the above matter. I have personal knowledge of the facts in this matter, and if called to testify about them, I would and could do so competently.

2. Attached as Exhibit 1 herein is a true and correct copy of a Department of Human Resources (DHR) bulletin, from Carol Isen, regarding the new vaccine and face-covering policy for City Employees.

3. Attached as Exhibit 2 herein is a true and correct copy of a DHR bulletin re: COVID-19 vaccination policy.

4. Attached as Exhibit 3 herein is a true and correct copy of a DHR bulletin, from the office of Carol Isen, regarding medical and religious exemptions to the COVID-19 vaccination.

5. Attached as Exhibit 4 herein is a true and correct copy of a DHR document, from the office of Carol Isen, regarding tips for processing religious accommodations to the vaccine mandate.

6. On or about May 20, 2022, at approximately 11:00 a.m., I spoke with an employee at the CCSF Health Department; that person could not locate the vaccine policy at issue in this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 2nd day of June 2022 in San Francisco, California

/s/ Russell Davis
Russell Davis, Esq.
PACIFIC JUSTICE INSTITUTE

Attorney for Plaintiffs

Exhibit 1

From: DHR Alert (HRD) <hrd.noreply@sfgov.org>
Sent: Wednesday, June 23, 2021 5:17 PM
Subject: New Vaccine and Face Covering Policy for City Employees

Dear City employee-

According to the federal Centers for Disease Control (CDC), the California Department of Public Health, and the San Francisco County Health Officer, COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against COVID-19 cases and deaths. Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths.

This email is to provide you with information about the new vaccination related requirements for all City employees, which require all employees to:

- (1) report their vaccination status to the City no later than July 29, 2021, and if they are fully vaccinated, to provide documentation to verify that status; and
- (2) be fully vaccinated and report that vaccination status to the City no later than 10 weeks after the Federal Food & Drug Administration (FDA) gives final approval to at least one COVID-19 vaccine.

The policy will be effective as of Monday, June 28, 2021. All employees will have 30 days (until July 29, 2021) to report their vaccination status including documentation verifying that status, using the City's People and Pay system through a link that will be found on the Employee Portal. All employees must provide the name of vaccine, date(s) of vaccination, and upload documentation into the system. This information will remain protected under existing City standard procedures for keeping any protected information in your employee file confidential.

If you need assistance uploading your verification to the Employee Portal or have other related questions, please reach out to your department human resource representative.

As always, thank you for all you are doing to support the residents of the City and County of San Francisco.

Sincerely,

Carol Isen

Human Resources Director

Exhibit 2

City and County of San Francisco

Carol Isen

Human Resources Director



Department of Human Resources

Connecting People with Purpose

www.sfdhr.org

COVID-19 Vaccination Policy

Issued: 6/23/2021

Amended 8/6/2021

Amended 9/8/2021

Amended 10/27/2021

Amended 01/04/2022

01/04/2022 Revision: This revision updates the vaccination policy for city employees who work in high-risk settings.

Pursuant to state and local health order, city employees who work in high-risk settings are required to receive a COVID-19 booster vaccine by Tuesday, February 1, 2022. If an employee is not yet eligible for a booster vaccine, they must receive the booster within 15 days after becoming eligible.

PURPOSE STATEMENT

The City and County of San Francisco (City) must provide a safe and healthy workplace, consistent with COVID-19 public health guidance and legal requirements, to protect its employees and the public as it reopens services and returns more employees to workplaces.

According to the federal Centers for Disease Control (CDC), the California Department of Public Health (CDPH), and the San Francisco County Health Officer, COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against COVID-19 cases and deaths. Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths. Unvaccinated employees, interns, fellows, and volunteers are at greater risk of contracting and spreading COVID-19 within the workplace and City facilities, and to the public that depends on City services.

To best protect its employees and others in City facilities, and fulfill its obligations to the public, all employees must, as a condition of employment: (1) report their vaccination status to the City; and (2) be fully vaccinated and report that vaccination status to the City no later than either the applicable deadline under the San Francisco Health Order, if it applies, or 10 weeks after the Federal Food & Drug Administration (FDA) giving final approval to at least one COVID-19 vaccine (November 1, 2021).

LEGAL REQUIREMENTS

On June 17, 2021, Governor Newsom issued Executive Order No. N-09-21, which implements new California Division of Occupational Safety and Health (Cal/OSHA) rules, effective June 17, 2021. These rules require employers to take specific measures to protect employees from COVID-19, including enforcing masking and quarantine requirements, and offering COVID-19 testing and time off, for employees who are unvaccinated or for whom the employer does not have documentation verifying they are fully vaccinated. The Cal/OSHA rules require employers to verify and document that an employee is fully vaccinated before allowing that employee to discontinue masking indoors. For unvaccinated employees or employees for whom the City does not have documentation verifying fully vaccinated status, the City must enforce masking, provide COVID-19 testing following a close contact in the workplace or anytime they have COVID-19 symptoms, and exclude these employees

from the workplace for 10 days after a close contact. Upon request, the City also must provide non-vaccinated employees with respirators (N95 masks) and provide education about using that type of mask.

On July 26, 2021 CDPH issued an Order (CDPH Vaccination Status Order) that workers in high-risk and other healthcare settings must report their vaccination status no later than **August 23, 2021**. The CDPH Vaccination Status Order also requires routine testing and more rigorous masking for unvaccinated or only partially vaccinated personnel working in these settings.

On August 24, 2021, the San Francisco Health Officer updated the San Francisco Health Order requiring all employers to determine the vaccination status of employees who routinely work onsite in high-risk settings by no later than **September 30, 2021** and precluding unvaccinated employees from entering those facilities after that date, and precluding unvaccinated employees who may occasionally or intermittently enter those settings from entering those facilities after October 13, 2021. This order further requires employees (among others) to remain masked in the workplace, effectively superseding the Cal/OSHA COVID-19 Temporary Emergency Standard which allows vaccinated employees who had documented that status to remove their masks.

On August 3, 2021 DHR issued a revised policy Face Coverings at Work Policy that can be found here: <https://sfdhr.org/sites/default/files/documents/COVID-19/Face-Covering-Requirements-at-Work.pdf>

On August 5, 2021, CDPH issued a new Order (Health Care Worker Vaccine Requirement) mandating all workers who provide services or work in identified health care facilities to receive their final dose of a vaccine regimen *no later than* **September 30, 2021**. The only exemptions to the Health Care Worker Vaccine Requirement are for workers who have a documented and approved exemption from vaccination on the basis of a sincerely-held religious belief or due to a qualifying medical condition or restriction.

On December 22, 2021 CDPH issued an updated order requiring all healthcare workers in certain health care facilities receive a booster vaccine by **February 1, 2022**.

On December 29, 2021, The San Francisco Health Officer updated the Safer Return Together Health Order also requiring all workers in High-Risk Settings receive a booster vaccine by **February 1, 2022**. Employees who are not currently eligible for a booster vaccine, are required to receive a booster within 15 days after becoming eligible.

STATEMENT OF POLICY

Definition of "Employees" Under This Policy

For purposes of this policy only, the term "employees" includes all full, part-time, and as-needed City employees regardless of appointment type, volunteers, interns, and City fellows (such as San Francisco Fellows, McCarthy Fellows, Fish Fellows, and Willie Brown Fellows).

Definition of "High-Risk Settings"

High-Risk Settings are defined as; general acute care hospitals, skilled nursing facilities, intermediate care facilities, residential care facilities for the elderly, homeless shelters, jails, dental offices, juvenile justice centers, and pharmacies.

Requirement to Report Vaccination Status

To protect the City's workforce and the public that it serves, all City employees were required to report their vaccination status to the City by July 29, 2021 (with a subsequent extension to August 12, 2021), by providing the following information:

- employee is vaccinated (yes or no)
- For employees who are vaccinated or partly vaccinated:
- The type of vaccine obtained (Moderna, Pfizer, or Johnson & Johnson, or other vaccine received in approved clinical trials)
- Date of first dose vaccine;
- Date of second vaccine for a 2-dose vaccine;
- Declaration under penalty of perjury that they have been fully vaccinated, and
- Upload documentation verifying proof of vaccination status. Proof of vaccination can include a copy of the CDC COVID-19 Vaccination Record Card, documentation of vaccine from the employee's healthcare provider, or documentation issued by the State of California by going to: <https://myvaccinerecord.cdph.ca.gov/>

To be fully vaccinated, 14 days must have passed since an employee received the final dose of a two-shot vaccine or a dose of a one-shot vaccine. All unvaccinated employees must continue to comply with masking, testing, and other safety requirements until they are fully vaccinated and have reported and documented that status to the City consistent with this Policy. Employees who previously reported that they were unvaccinated must update their status once they are fully vaccinated.

All employees working in high-risk settings who are required to receive a booster vaccine must report their booster vaccine in the employee portal no later than February 1, 2022. Employees who are not yet eligible for a booster vaccine on or before February 1, 2022 must report their booster vaccine in the employee portal within five (5) days of receiving the booster.

Failure to comply with the reporting requirement may result in discipline, or non-disciplinary separation from employment with the City for failure to meet the minimum qualifications of the job.

How to Report Vaccination Status

Volunteers, interns, and City fellows must verify that they are fully vaccinated to the Departmental Personnel Officer or Human Resources professional by showing a copy of their CDC COVID-19 Vaccination Record Card, documentation from the individual's healthcare provider, or documentation issued by the State of California as described above. The department must retain documentation that the individual's vaccination status has been verified **but must not retain copies of the individual's vaccination record.**

All other employees must report their vaccination information and upload documentation verifying that status into the City's People & Pay system using the Employee Portal or by hand using the COVID-19 Vaccination Status Form. Only City employees authorized to access employee personnel information will have access to the medical portion of the file. The City will share information about an employee's vaccination status only on a need-to-know basis, including to the employee's department, managers, and supervisors for the purpose of enforcing masking, quarantining in the event of a close contact, and other safety requirements.

Vaccination Requirements for Employees

1. City policy requires that all City employees routinely assigned to or working onsite in high-risk settings must receive their final dose of a vaccine regimen no later than September 30, 2021, unless they have been approved for an exemption from the vaccination requirement as a reasonable accommodation for a medical condition or restriction or sincerely held religious beliefs. Any employee who is requesting or has an approved exemption must still report their vaccination status to the City by the August 12, 2021 extended deadline.

The vaccination and reporting requirements are conditions of City employment and a minimum qualification for employees who are routinely assigned to or working onsite in high-risk settings. Those employees who fail to meet the vaccination and reporting requirements under this Policy will be unable to enter the facilities and unable to perform an essential function of their job, and therefore will not meet the minimum requirements to perform their job.

2. City policy requires that all City employees who are not otherwise covered by the SF Health Order, but who provide services or work in the health care facilities identified in the state's order, must receive their final dose of a vaccine regimen no later than September 30, 2021, unless they have been approved for an exemption from the vaccination requirement as a reasonable accommodation for a medical condition or restriction or sincerely-held religious-beliefs. Any employee who is requesting or has an approved exemption must still report their vaccination status to the City by the August 12, 2021 extended deadline. The vaccination and reporting requirements are conditions of City employment and a minimum qualification for employees provide services or work in the health care facilities identified in the state's order. Those employees who fail to meet the vaccination and reporting requirements under this Policy will be unable to enter the facilities and unable to perform an essential function of their job, and therefore will not meet the minimum requirements to perform their job.
3. City policy requires that all City employees who in the course of their duties may enter or work in high-risk settings even on an intermittent or occasional basis or for short periods of time must be fully vaccinated — no later than October 13, 2021, unless they have been approved for an exemption from the vaccination requirement as a reasonable accommodation for a medical condition or restriction or sincerely-held religious beliefs. Any employee who is requesting or has an approved exemption must still report their vaccination status to the City by the August 12, 2021 extended deadline. The vaccination and reporting requirements are conditions of City employment and a minimum qualification for employees who in the course of their duties may enter or work in high-risk settings even on an intermittent or occasional basis or for short periods of time. Those employees who fail to meet the vaccination and reporting requirements under this Policy will be unable to enter the facilities and therefore unable to perform an essential function of their job and will not meet the minimum requirements to perform their job.
4. Volunteers, interns, and City fellows must be fully vaccinated – and must have reported that status and providing documentation verifying that status to the Departmental Human Resources personnel – as a condition of serving as a City volunteer, intern or fellow. Those already working and who do not fall under the SF Health Order must be fully vaccinated no later than October 13, 2021. Failure to comply with this policy will result in suspension of the

internship, fellowship, or volunteer opportunity until such time as the individual provides verification that they are fully vaccinated.

5. All other City employees must be fully vaccinated as a condition of employment within ten weeks after the FDA provides final approval to at least one COVID-19 vaccine (November 1, 2021). Employees who are not fully vaccinated by November 1, 2021 may not enter the workplace after that date. To maintain continuity of City operations, limited exceptions may be allowed for employees who demonstrate that they are partially vaccinated.
6. To comply with the updated state health order issued on December 22, 2021 and county Health Order issued December 29, 2021. Employees working in high-risk settings and eligible for the COVID-19 booster are required to receive their booster shot and report their booster vaccine status no later than February 1, 2022.
 - Employees who received their second dose of a two-dose COVID-19 vaccine before July 1, 2021 and work in a High-Risk Setting are required to receive a booster by February 1, 2022.
 - Employees who received one dose of a single dose COVID-19 vaccine prior to November 1, 2021 and work in a High-Risk Setting are required to receive a booster by February 1, 2022.

Employees working in high-risk settings who are not yet eligible for the COVID-19 booster are required to receive a booster within 15 days after becoming eligible. These employees must report their booster vaccine status within five (5) days of receiving the booster.

Employees with an approved exemption from the vaccination requirement are not required to receive a booster vaccine.

Office Environments

Departments have discretion, but are not required, to allow employees who work in office environments to work remotely provided the employees have received at least one dose of a COVID-19 vaccine regimen by November 1, 2021 and reported and documented that status to the City consistent with this Policy *and* the Department receives approval from the City Human Resources Director.

This is allowable for a maximum of up to three days (or 24 hours) per week. The remaining two days (or 16 hours), which are intended to be spent in person in the workplace, employees may use their accrued vacation or other non-sick leave time to cover those work hours that unvaccinated or partially vaccinated employees are restricted from the workplace due to not being fully vaccinated as required by City Policy. Employees who are partially vaccinated and have received written approval to work remotely after November 1, 2021 must report and document that they are fully vaccinated no later than **December 6, 2021**.

Non-office Environments

Departments have discretion, but are not required, to allow employees to enter the workplace after November 1 provided the employees are required for continuity of operations within the departments, the employees have received at least one dose of a COVID-19 vaccine regimen by November 1, 2021, and the employees have reported and documented that status to the City consistent with this Policy. Employees who are permitted at the worksite after November 1, 2021 must report and document that they are fully vaccinated no later than **December 6, 2021**.

Employees who are not fully vaccinated against COVID-19 and who are permitted in the workplace after

November 1, 2021 must continue to wear a well-fitted mask at all times while at the workplace. Departments are strongly encouraged to require employees who are not yet fully vaccinated after November 1, 2021 to test at least once weekly and provide proof of a negative COVID-19 test result until they are fully vaccinated and have reported and documented that status to the City consistent with this Policy.

Failure to comply with this Policy may result in a disciplinary action, or non-disciplinary separation from employment for failure to meet the minimum qualifications of the job.

Requesting an Exemption from the Vaccination Requirement

Employees with a medical condition or other medical restriction that affects their eligibility for a vaccine, as verified by their medical provider, or those with a sincerely held religious belief that prohibits them from receiving a vaccine, may request a reasonable accommodation to be excused from this vaccination requirement but must still report their status by the August 12, 2021 extended deadline. The City will review requests for accommodation on a case-by-case basis and engage in an interactive process with employees who submit such requests. For some positions where fully vaccinated status is required to enter the facility where the employee works, an accommodation may require transfer to an alternate vacant position, if available, in another classification for which the employee meets the minimum qualifications. Requests for Reasonable Accommodation forms and procedures can be found here: <https://sfdhr.org/new-vaccine-and-face-covering-policy-city-employees>

COVID-19 VACCINATION COMPLIANCE DEADLINES
ADDENDUM TO VACCINATION POLICY AMENDED AUGUST 5, 2021

Below are the vaccination status reporting deadlines for City employees.

COVID-19 VACCINATION STATUS REPORTING DEADLINES	
July 29, 2021	Reporting Deadline
August 12, 2021	Grace Period - Final day to report vaccination status

Below are the vaccination deadlines for City employees. City employees working in high-risk settings are subject to non-disciplinary release if not vaccinated by the deadlines referenced below for failure to meet the minimum qualifications of their jobs


COVID-19 VACCINATION DEADLINES BY EMPLOYEE TYPE	
Employees who are assigned to or routinely work onsite in High-Risk Settings or other Health Care Facilities	<p>Must receive their final dose of a vaccine regimen no later than September 30, 2021 and receive and report booster vaccination, <i>if eligible</i>, by February 1, 2022.</p> <ul style="list-style-type: none"> • Moderna: First shot no later than September 2, 2021; Second shot no later than September 30, 2021. <i>Eligible to receive booster vaccine if primary vaccine series was completed before July 1, 2021</i> • Pfizer: First shot no later than September 9, 2021; Second shot no later than September 30, 2021. <i>Eligible to receive booster vaccine if primary vaccine series was completed before July 1, 2021</i> • Johnson & Johnson: First shot no later than September 30, 2021. <i>Eligible to receive booster vaccine if primary vaccine was completed before November 1, 2021</i>
Employees intermittently or occasionally working in "High-Risk Settings"	<p>Must be fully vaccinated <i>no later than</i> October 13, 2021 and receive and report booster vaccination, <i>if eligible</i>, by February 1, 2022.</p> <ul style="list-style-type: none"> • Moderna: First Shot no later than September 1, 2021; Second Shot no later than September 29, 2021 <i>Eligible to receive booster vaccine if primary vaccine series was completed before July 1, 2021</i> • Pfizer: First Shot no later than September 8, 2021; Second Shot no later than September 29, 2021 <i>Eligible to receive booster vaccine if primary vaccine series was completed before July 1, 2021</i> • Johnson & Johnson: First Shot no later than September 29, 2021 <i>Eligible to receive booster vaccine if primary vaccine was completed before November 1, 2021</i>
All other employees not working in "High-Risk" or other health care settings	<p>Must be fully vaccinated <i>no later than</i> November 1, 2021.</p> <ul style="list-style-type: none"> • Moderna: First shot <i>no later than</i> September 20, 2021; Second shot <i>no later than</i> October 18, 2021. • Pfizer: First shot <i>no later than</i> September 27, 2021; Second shot <i>no later than</i> October 18, 2021. Johnson & Johnson: First shot <i>no later than</i> October 18, 2021. <p>For continuity of City operations limited exceptions may be made for partially</p>

Exhibit 3


9/1/2021

Medical & Religious Exemptions to COVID-19 Vaccination

Jessica Comes & Janie White, DHR EEO
Reasonable Accommodation
& Leave Management Programs
September 1, 2021
MS Teams



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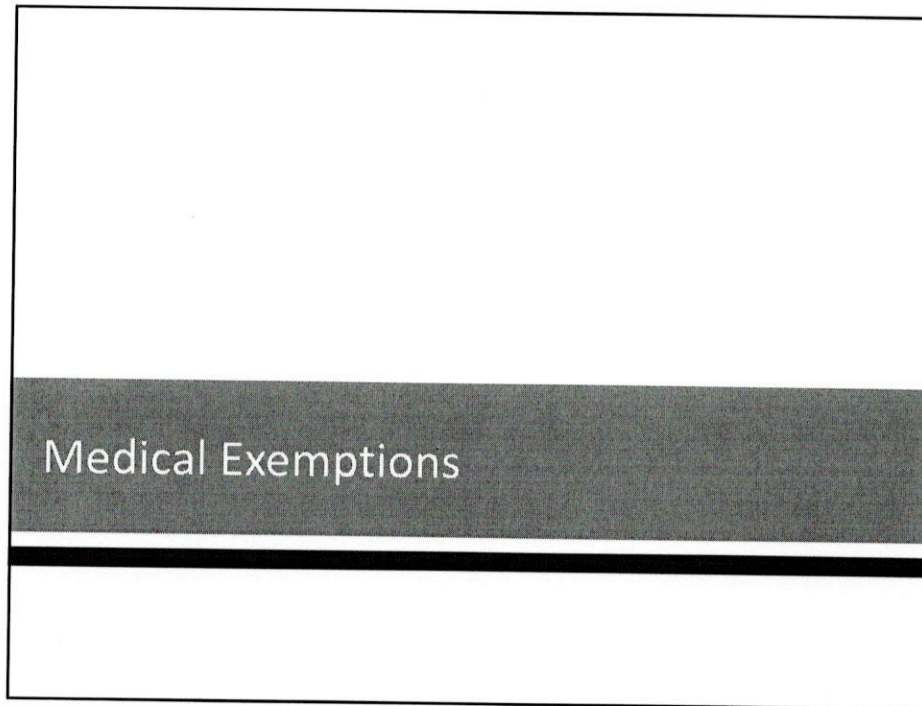
Agenda

- Welcome Carol Isen, DHR HR Director
- Medical Exemptions – Jessica Comes, Citywide RA Coordinator
 - Making the Request
 - Review Standards
 - Approval & Accommodation
- Religious Exemptions – Janie White, Medical Leave Program Manager
 - What is a Religion?
 - Identifying Sincerely Held Beliefs
 - Questions for the Interactive Process
 - Review Standards
- Q & A


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9/1/2021



3



Medical Exemptions from COVID-19 Vaccine

A medical exemption from the COVID-19 vaccine may be granted if:

- 1) Employee has a qualifying medical condition/disability that prevents them from getting the vaccine;
- 2) Employee requests a reasonable accommodation;
- 3) Employee provides required documentation to support an exemption; and
- 4) An exemption would not pose a direct threat to the health & safety of the employee or others that cannot be mitigated

4

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Exhibit 4

City and County of San Francisco
Carol Isen
Human Resources Director



Department of Human Resources
Connecting People with Purpose
www.sfdhr.org

Tips for Processing Religious Accommodation-Vaccine Exemption Requests

Issued: September 1, 2021

Employees with sincerely held religious beliefs that prevent them from being vaccinated against COVID-19 may request an accommodation either orally or in writing. The City has special forms to assist employees with providing information to support religious accommodation requests for vaccine exemptions. Employees are encouraged to use these forms but cannot be required to submit requests in writing or using the City's forms. Employees must actively participate in the interactive accommodation process and provide all information reasonably needed to evaluate the request.

Each request should be considered on a case-by-case basis, and the following is offered as general guidance for processing religious vaccine exemption requests. **Before denying or approving any request for an exemption and accommodation based on a sincere religious belief, please consult with the department's assigned labor attorney. Any decision to approve a religious accommodation must be submitted to DHR's Medical Leave Program Manager for approval before the determination is sent to the employee.**

1. Is the Request Form Complete and Signed?

- Check for answers to all questions.
- Make sure the employee responds to question #4, regarding prior vaccinations and their religious beliefs.
- Make sure the employee signs the request.
- While employees can make requests orally, they should be encouraged to use the City forms. If employees refuse to submit the forms, the department should still work with the employee to obtain any necessary information for evaluating the request.

2. Is the belief religious?

Most recognized organized religions do not prohibit vaccinations. A non-exhaustive list of religious faiths and their stance on vaccination can be found here:

<https://www.vumc.org/health-wellness/news-resource-articles/immunizations-and-religion>.

But, an employee is not required to cite a recognized religion or religious tenet to qualify for an accommodation. You may need to seek additional information about the employee's belief to determine whether it is, in fact, religious.

Departments are not required to accept high-level or vague statements about religious teachings, practices or observances. Because many secular views about the vaccine are

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City and County of San Francisco

DETERMINATION ON COVID-19 VACCINATION EXEMPTION REQUEST

Employee Name	Employee DSW#
Selina Keene (Ms. K)	21119
Job Code and Title	Department
9704 - Employment & Training Specialist III	HSA
Division/Unit	Supervisor/Manager
WDD	Kemeisha James / Bart Ellison

This notice is to advise you of the following departmental determination on your request for exemption from COVID-19 vaccination requirements submitted on 10 / 12 / 20 21.

☐ **APPROVED**

Your request for an exemption based on a disability, medical condition, or sincerely held religious belief is **APPROVED**. You will remain in your current position with the following reasonable accommodations (including any mandatory health and safety protocols for unvaccinated employees, such as regular testing and specific masking requirements and to protect coworkers and members of the public):

(Attach separate sheet as necessary.) Failure to comply with any of the required accommodations, including health and safety requirements, may result in revocation of this approval.

DURATION

Approved accommodations are subject to change in accord with public health orders, or to align with current essential job functions, or operational needs. Should either your condition or religious beliefs change such that this accommodation is no longer necessary, or needs to be modified, you must immediately notify your supervisor or department Human Resources personnel.

This accommodation is subject to review and re-approval on: / / 20 .

☒ **DENIED**

☐ **DISABILITY OR MEDICAL CONDITION**

Your request for an exemption based on an asserted disability or medical condition is **DENIED** for the following reason(s):

- ☐ Medical Documentation Inadequate/Not Submitted
- ☐ No Disability or Medical Condition Requiring Accommodation
- ☐ Accommodation Would Pose a Direct Threat to the Health and Safety of Others and/or Yourself
- ☐ Accommodation Would Prevent Employee from Performing Essential Function(s)
- ☐ Accommodation Would Result in Undue Hardship for the City
- ☐ Other: _____

☒ **SINCERELY HELD RELIGIOUS BELIEF**

Your request for an exemption based on an asserted sincerely held religious belief, practice or observance is **DENIED** for the following reason(s):

- ☒ Documentation Insufficient to Show a Conflict Between Vaccination Requirement and Sincerely Held Religious Belief, Practice or Observance
- ☒ Accommodation Would Pose a Direct Threat to the Health and Safety of Others and/or Yourself
- ☐ Accommodation Would Prevent Employee from Performing Essential Function(s)
- ☒ Accommodation Would Result in Undue Hardship for the City
- ☐ Other: _____

☐ **CITYWIDE SEARCH**

The department has determined that you have a medical condition, disability, or sincerely held religious belief that precludes you from being vaccinated, but that the department cannot reasonably accommodate you in your current position. While you cannot remain in your current position, you may continue the interactive process to explore other options for reasonable accommodation through the Citywide job vacancy search. This 60-day process involves a search for available, vacant, non-promotive positions within City employment for which you are qualified and that you can perform while unvaccinated, with or without accommodation.